

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF SOUTH CAROLINA
GREENVILLE DIVISION

Tracy E. Cook,)	
)	
Plaintiff,)	C.A. No. 6:07-631-HMH
)	
vs.)	OPINION & ORDER
)	
Michael J. Astrue,)	
Commissioner of Social Security,)	
)	
Defendant.)	

This matter is before the court on Plaintiff Tracy E. Cook’s (“Cook”) motion for attorney’s fees. On May 1, 2008, the court reversed the Commissioner’s decision denying Cook’s claim for social security disability benefits and remanded the case to the Commissioner for further proceedings. Cook then properly filed and documented a request for fees, costs, and expenses pursuant to the Equal Access to Justice Act, 28 U.S.C. § 2412 (“the EAJA”), totaling \$3,187.95. The Commissioner has consented to pay the total amount claimed. Accordingly, the Commissioner is directed to pay Cook \$3,187.95 within thirty (30) days of the date on which this order is filed.

Such payment shall constitute a complete release from and bar to any and all further claims that Cook may have under the EAJA to fees, costs, and expenses incurred in connection with disputing the Commissioner’s decision. However, nothing in this order shall disturb Cook’s right to seek attorney’s fees under the Social Security Act, 42 U.S.C. § 406(b), subject to the offset provisions of the EAJA. 28 U.S.C. §§ 2412, 2414.

It is therefore

ORDERED that Cook's motion for attorney's fees, docket number 31, is granted.

IT IS SO ORDERED.

s/Henry M. Herlong, Jr.
United States District Judge

Greenville, South Carolina
July 16, 2008